

EXHIBIT 5

1 UNITED STATES DISTRICT COURT
 2 NORTHERN DISTRICT OF GEORGIA
 3 ATLANTA DIVISION
 4
 5 FAIR FIGHT ACTION, et)
 6 al.,)
 7)
 8 Plaintiffs,)
 9 vs.) CIVIL ACTION NO.
 10)
 11 BRAD RAFFENSPERGER, in) 1:18-CV-05391-SCJ
 12 his official Capacity as)
 13 Secretary of State of)
 14 Georgia; et al.,)
 15)
 16 Defendants.)

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11 THIS DEPOSITION CONTAINS INFORMATION DESIGNATED
 12 CONFIDENTIAL SUBJECT TO PROTECTIVE ORDER

12

13 DEPOSITION OF RAPHAEL G. WARNOCK

14 (Taken by Defendants)

15 November 7, 2019

16 10:25 a.m.

17

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19

20 Suite 1650
 21 1180 West Peachtree Street
 22 Atlanta, Georgia

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25 Reported by: Debra M. Druzisky, CCR-B-1848

1 A. Well --

2 MR. DUBOSE: Objection.

3 You can answer. I'm just lodging an
4 objection --

5 THE WITNESS: I get it.

6 MR. DUBOSE: -- for the record.

7 THE WITNESS: We were concerned about
8 half a million voters being purged on a
9 Saturday night. We were concerned about,
10 you know, the hundreds of thousands of
11 voters who were being purged. It seemed
12 to be an overreach by the State to solve
13 a problem that there's little evidence
14 that it exists to that magnitude.

15 So the purging, the exact or
16 cross-match system, those were among the
17 tactics that we were very concerned
18 about.

19 BY MR. TYSON:

20 Q. Is it fair to say that the purges and the
21 matching issues were the primary suppression
22 tactics about which the church was concerned?

23 MR. DUBOSE: Objection.

24 THE WITNESS: It was -- they were
25 among the tactics that we were concerned

1 about. We were also concerned about the
2 integrity of the machines.

3 You know, there were reports about
4 people literally choosing one candidate
5 and pushing the button over and over
6 again and not getting what they were
7 selecting. So there were concerns about
8 that.

9 And some of the Draconian, you know,
10 approaches that we saw to efforts like
11 ours in Quitman County, when you read
12 that story, it reads like something out
13 of the 1950s. And so it suggested to us
14 that people weren't terribly shy about
15 making it difficult for certain
16 demographics to vote.

17 We were concerned about polling
18 stations being moved, in some instances
19 to police stations.

20 So all of that suggested to us that
21 we were really -- we were actually in a
22 war to maintain something as basic as the
23 franchise. And so we needed to arm --
24 you know, we want our people to be ready
25 and engaged and vigilant.

1 you're finished reading that.

2 A. Yeah, let me read it.

3 Q. Okay.

4 (Whereupon, the document was
5 reviewed by the witness.)

6 THE WITNESS: Okay.

7 BY MR. TYSON:

8 Q. So you've identified the "vote by mail"
9 program, the efforts to educate voters about the
10 voter purges, as things that the church has had to
11 do differently in light of the laws that are being
12 challenged in this lawsuit.

13 So my question is, if the church receives
14 all the relief outlined in this lawsuit, will it be
15 able to stop diverting funds to those other
16 purposes or would you have to wait and see what
17 that looked like?

18 MR. DUBOSE: Objection.

19 THE WITNESS: It's difficult to
20 answer that question. I think this would
21 take us a long way if we could see
22 this -- the relief that we're requesting.

23 Whether or not there would be other
24 barriers, when I look at the long history
25 of voter suppression, very long history,

1 since the end of Reconstruction, the
2 efforts to constrict the participation of
3 people of color particularly have proven
4 to be incredibly agile and creative.

5 So I think this would take us a long
6 way. But given that history and even
7 more recent history, say the last decade
8 or so, the idea that there wouldn't be
9 some other effort that we'd have to
10 respond to and be vigilant, I'll have to
11 wait and see.

12 But I think this would certainly take
13 us a long way in responding to the issues
14 that we're addressing at this juncture.

15 BY MR. TYSON:

16 Q. And given Ebenezer's history in the
17 voting space, I would expect that Ebenezer will be
18 addressing any future voter suppression head on; is
19 that correct?

20 A. Yeah. We would be addressing, yeah, any
21 efforts that make it difficult for people to
22 exercise the franchise.

23 John Lewis is a member of our church.
24 And you know, he suffered physically, physical
25 harm, physical injury trying to secure what should